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 of Sonoma, Jerry Allen, Sheriff-Coroner
 William Cogbill, Nicholas Honey,
 Sheriff's Deputy Michael Shanahan, Sheriff's
 Deputy Caroline Japp, and County
 employees, Betty Johnson, Jo Weber,
 and Robin Smith

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SALLY STEINHART,
 Plaintiff,

No. CV-10-00841 RS

v.

COUNTY OF SONOMA, SHERIFF-CORONER
 BILL COGBILL and DEPUTY SHERIFFS M.
 SHANAHAN and CAROLYN JAAP; HUMAN
 SERVICES DEPARTMENT DIRECTOR JO
 WEBER; FAMILY, YOUTH & CHILDREN'S
 SERVICES DIVISION DIRECTOR CAROL
 BAUER; YOUTH & CHILDREN'S SERVICES
 DIVISION DIRECTOR NICHOLAS HONEY;
 CHILD WELFARE SERVICES/ PROTECTIVE
 SERVICES SOCIAL WORKERS JERRY ALLEN,
 BETTY JOHNSON, and ROBIN SMITH,
 individually and in their official capacities,
 CALIFORNIA DEPARTMENT OF SOCIAL
 SERVICES; DOES 1-50, and ROES 1-50, and
 MOES 1-50, inclusive, jointly and severally,

Defendants.

**STIPULATION TO (1) CONTINUE
 DATE TO HEAR COUNTY
 DEFENDANTS' MOTION TO
 DISMISS; (2) EXTEND COUNTY
 DEFENDANTS' TIME TO FILE ANTI-
 SLAPP MOTION UNDER CAL. CCP
 SECTION 425.16(f); ~~PROPOSED~~
 ORDER**

This joint stipulation and request for entry of order pursuant to Civil Local Rule 7-12 is entered into by and between Plaintiff in pro per, Sally Steinhart (“Plaintiff”), and Defendants the County of Sonoma, Sheriff-Coroner William Cogbill, and County employees Michael Shanahan, Caroline Jaap, Jo Weber, Nicholas Honey, Jerry Allen, Betty Johnson and Robin Smith (collectively, “County Defendants”). Defendant the California State Department of Social Services is not a party to this stipulation. This stipulation and concomitant request for an Order is based upon both Plaintiff and the County Defendants’ request to continue the hearing date of the County Defendants’ Motion to Dismiss First Amended Complaint, and Motion for More Definite Statement, filed on July 26, 2010, and currently to be heard on September 9, 2010; as well as to provide County Defendants additional time in which to file an Anti-SLAPP Motion under California Code of Civil Procedure Section 425.16 to a date *after* the County Defendants’ Motion to Dismiss the First Amended Complaint is heard. The terms and provisions of this stipulation and request for order are set forth below.

RECITALS

A. Plaintiff filed her Complaint for Declaratory and Injunctive Relief and Damages herein on February 26, 2010. Plaintiff believes that she effectuated service of the Complaint on all County Defendants identified above on or about May 12, 2010. Plaintiff has not yet effectuated service on Defendant the State Department of Social Services, nor Defendant and former Sonoma County employee Carol Bauer (retired).

B. Plaintiff filed a First Amended Complaint (the “First Amended Complaint”) herein on June 21, 2010.

C. County Defendants filed a Motion to Dismiss the First Amended Complaint and concurrent Motion for More Definite Statement on July 26, 2010 (hereinafter collectively, “Motion to Dismiss”). This Motion to Dismiss is currently set to be heard on September 9, 2010, at 1:30 p.m. The thrust of this Motion to Dismiss is to request dismissal of all claims for relief against County Defendants.

1 D. If certain issues are not resolved pursuant to the Motion to Dismiss, County
 2 Defendants intend to file an Anti-SLAPP Motion under California Code of Civil Procedure Section
 3 425.16 (see Exhibit A). The Anti-SLAPP Motion would request this Court to strike all state law
 4 claims and related allegations against the County's Human Services Department employee
 5 defendants on grounds of protected speech activities by governmental entities and their
 6 representatives.

7 E. Pursuant to California Code of Civil Procedural Section 426.16(f), Anti-SLAPP
 8 motions should be brought within 60 days of the service of the relevant complaint. However, under
 9 California Code of Civil Procedure Section 425.16(f), the Court has the discretion to extend the 60
 10 day filing period to "any later time upon terms it deems proper." It is reasonable and proper on
 11 grounds of judicial economy to allow the County Defendants additional time in which to file and
 12 serve their Anti-SLAPP Motion to a time *after* their Motion to Dismiss is heard, as the reasons to
 13 bring the Anti-SLAPP Motion *would become moot* if this Court issues an order which grants the
 14 County's Motion to Dismiss, thus dismissing the County's Human Services Department employee
 15 defendants from the lawsuit.

16 F. Hence, on August 5, 2010, the County approached Plaintiff with the request to
 17 stipulate to extend the time to file and serve the Anti-SLAPP motion until after the Court issues its
 18 order resolving the pending Motion to Dismiss. Plaintiff indicated she would stipulate to such as
 19 long as the County agreed to continue the hearing date of the Motion to Dismiss for three weeks, as
 20 she is presently in trial on another matter and is in the middle of moving her residence. The County
 21 so agreed.

22 WHEREFORE, the parties hereby stipulate and request entry of a court order as follows:

23 STIPULATION

24 1. The current hearing date for the County Defendant's Motion to Dismiss the First
 25 Amended Complaint, and Motion for More Definite Statement (along with the concurrent Request
 26 for Judicial Notice re the Motion to Dismiss and Administrative Motion to File Under Seal
 27
 28

Documents Attached to Request for Judicial Notice in Support of Motion to Dismiss), is set for September 9, 2010, at 1:30 p.m. This date shall be continued to **September 30, 2010, at 1:30 p.m.**

2. County Defendants shall have until and including **December 2, 2010**, in which to file and serve their Anti-SLAPP motion under California Code of Civil Procedure Section 425.16.

3. This stipulation does not prevent or preclude the parties from seeking additional relief from this Court, to amend this stipulation and order or otherwise.

Respectfully submitted,

Dated: August 18, 2010

Stephen M. Woodside, County Counsel

By: /s/ Anne L. Keck
Anne L. Keck, Deputy County Counsel
Attorneys for County Defendants

Dated: August 18, 2010

Sally Steinhart, Plaintiff in pro per

By: /s/ Sally Steinhart
Sally Steinhart

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, and with good cause appearing,

IT IS HEREBY ORDERED that the current hearing date for the County Defendant's Motion to Dismiss the First Amended Complaint, and Motion for More Definite Statement (along with the concurrent Request for Judicial Notice re the Motion to Dismiss and Administrative Motion to File Under Seal Documents Attached to Request for Judicial Notice in Support of Motion to Dismiss) shall be continued from September 9, 2010, to **September 30, 2010, at 1:30 p.m.**

IT IS FURTHER ORDERED that County Defendants shall have up to and including **December 2, 2010**, in which to file and serve their Anti-SLAPP motion under California Code of Civil Procedure Section 425.16.

Date: 8/23/10


HONORABLE RICHARD SEEBORG
United States District Judge